

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Norris Deshon Andrews,

Case No. 20-cv-980 (DSD/LIB)

Plaintiff,

v.

ORDER

Joel Brott, et al.,

Defendants.

This matter comes before the undersigned United States Magistrate Judge pursuant to a general assignment made in accordance with the provisions of 28 U.S.C. § 636 and Plaintiff's Motion for Writ of Habeas Corpus ad Testificandum. [Docket No. 4].

Plaintiff initiated the present action on April 20, 2020, by filing his Complaint. [Docket No. 1]. Plaintiff did not pay the filing fee for this action; instead, Plaintiff applied for permission to proceed in forma pauperis. (IFP Application [Docket No. 2]).

Along with his Complaint, Plaintiff also filed the present Motion for Writ of Habeas Corpus ad Testificandum. [Docket No. 4]. Plaintiff also filed a Proposed Order, [Docket No. 5], with his Motion. Through his Motion, Plaintiff seeks a "writ to insure his attendance" at some unspecified proceeding because he is "currently in the custody of the Sherburne County Sheriff and cannot attend court without a writ." (Plf.'s Mot. [Docket No. 4]). The Motion does not specify the proceeding at which Plaintiff seeks to attend.

Despite Plaintiff's request for a writ to insure his attendance, there is not currently any hearing or need for appearance in the present action. The only matter pending before the Court in the present case is Plaintiff's application to proceed in forma pauperis, however, in this District applications to proceed in forma pauperis are taken under advisement based solely on the written

submissions. Because Plaintiff's Motion seeks to appear at a proceeding that does not exist, the Court will consider Plaintiff's Motion as having been filed in error.

Therefore, for the foregoing reasons, and based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff's Motion for Writ of Habeas Corpus ad Testificandum, [Docket No. 4], is **STRICKEN as filed in error;** and
2. Plaintiff's Proposed Order, [Docket No. 5], is **STRICKEN as filed in error.**

Dated: April 23, 2020

s/Leo I. Brisbois
Hon. Leo I. Brisbois
U.S. MAGISTRATE JUDGE